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Letter dated 28 July 2017 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to write to you to express the disapproval of the Government of the Democratic Republic of the Congo with regard to the hurtful and counter-propagandist statement delivered in the Security Council by Ms. Nikki Haley, Permanent Representative of the United States of America to the United Nations, during the debate of 19 July 2017 held under the enlightened presidency of your country, on the topic "Peace and security in Africa: enhancing African capacities in the areas of peace and security".

During the debate, Ms. Haley took it upon herself to call into question the candidacy of the Democratic Republic of the Congo for the Human Rights Council by stating the following:

> When the nations of the African Group put forward a country like the Democratic Republic of Congo to be a member of the Human Rights Council, it does more than just weaken that body — it adds to the conflict that is causing so much suffering on that continent. This is a pivotal time for the Human Rights Council. It has the potential to be an asset to the men, women, and children suffering in Africa today. But it can only play that role if its membership consists of nations committed to promoting and upholding universal human rights. And that, in turn, depends on the African States putting forward credible candidates with strong human rights records. The nomination of the Democratic Republic of the Congo is an inexcusable failure of this process.

For the Democratic Republic of the Congo, these comments are unacceptable and are only meant to tarnish its image and credibility among other States Members of the United Nations family. The comments demonstrate a lack of respect and contempt on the part of the Permanent Representative of the United States not only toward my country, but also toward all African States. Ms. Haley has taken upon herself to not only lecture those States but also to dictate decisions by calling into question the endorsement of the candidacy of the Democratic Republic of the Congo by African Heads of State and Government.

My Government therefore wishes to convey to her the following:

- The Democratic Republic of the Congo is a sovereign State, a State Member of the United Nations, and as such is entitled to enjoy all the prerogatives afforded to all States Members of the Organization.

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- In that regard and in accordance with the principle of the equality of States enshrined in the Charter of the United Nations, the Democratic Republic of the Congo has the right to both aspire to and sit in the various organs of the United Nations.

- Ms. Haley and her country are free during the vote to be held in that regard to support the country of their choice by voting according to their conscience, without trying to interfere in the decision taken by other Member States vis-à-vis my country.

My Government also wishes to point out that human rights remain a never-ending quest, an ideal to which all States in the world aspire. No State, including countries that are part of old democracies, can claim to have attained perfection in this area. Accordingly, the Democratic Republic of the Congo, which has been grappling with a difficult situation over the past two decades with successive bloody conflicts, is well aware of the challenges it faces and which it is striving to overcome in order to consolidate its young democracy and the rule of law. It is working to that end and believes strongly that it will achieve success with time and with the kind assistance of respectful and understanding partners. In that connection, the Democratic Republic of the Congo considers that its election to the Human Rights Council might serve as a positive contribution that could be instrumental in the furtherance of its commitment to promoting and protecting human rights, alongside other States that are prepared to support it in moving forward.

Lastly, my Government deems it important to recall its great contribution to the promotion of the rule of law and justice at the international level through its active participation in the major legal instruments of the United Nations system. Out of the 193 States Members of the United Nations, the Democratic Republic of the Congo is one of 67 that have had the courage to make declarations recognizing as compulsory the jurisdiction of the International Court of Justice under Article 36, paragraph 2, of the Statute of the Court. More than any other country, the Democratic Republic of the Congo has for almost two decades been among the principal litigants at the International Court of Justice, having brought several cases before the Court. The Democratic Republic of the Congo is also the first State party to have cooperated significantly with the International Criminal Court and to have correctly executed arrest warrants issued by that institution concerning its nationals on several occasions. The role of pioneer played by the Democratic Republic of the Congo before that Court deserves, without false modesty, praise.

In the light of the foregoing, my Government calls upon the Security Council to:

1. Condemn the discourteous and unfriendly comments made by the Permanent Representative of the United States of America against the Democratic Republic of the Congo as such comments do not promote good relations between States.

2. Call on the Permanent Representative of the United States of America to put an end to her campaign against the Democratic Republic of the Congo and to apologize to the latter.

My Government calls on the Security Council to take action concerning the present letter. My Government should be grateful if the letter could be circulated as a document of the Council.

(*Signed*) Ignace **Gata Mavita**
Ambassador, Permanent Representative